

Social Questions Bulletin

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The Methodist Federation for Social Action, an unofficial membership organization, founded in 1907, seeks to deepen within the Church, the sense of social obligation and opportunity to study, from the Christian point of view, social problems and their solutions and to promote social action in the spirit of Jesus. The Federation stands for the complete abolition of war. The Federation rejects the method of the struggle for profit as the economic base for society and seeks to replace it with social-economic planning to develop a society without class or group discriminations and privileges. In seeking these objectives, the Federation does not commit its members to any specific program, but remains an inspirational and educational agency, proposing social changes by democratic decisions, not by violence.

Greetings for Christmas and the New Year

To our readers, warm greetings at another Christmastide. Our prayer is that there may be peace on earth, because men attain unto good will; that the government shall be upon His shoulder, Who is the Prince of Peace; and that in His Name all oppression shall cease. May the New Year mark the enhancement of those things to which our human future belongs!

Willard Uphaus

His Place In History

Willard Uphaus has achieved an honored place in history!

Sunday morning Dec. 11, after 362 days in the Merrimack County Jail at Boscaawen, N. H., the birthplace of Daniel Webster, for what the State of New Hampshire called contempt of the state but what Dr. Uphaus called defense of the right of conscience, Dr. Uphaus was released. Judge George E. Grant, Jr.

Dec. 9. Judge Grant had rejected a petition filed Dec. 8 New Hampshire's Attorney General Louis Wyman to keep Dr. Uphaus in jail beyond his one-year sentence, until he had submitted the names of guests at the World Fellowship camp six summers ago.

Three Bishops Help

At least three Methodist Bishops had intervened in Dr. Uphaus' behalf. From the beginning Bishop John Wesley Ward, formerly of the Boston Area, had been indefatigable in defending Dr. Uphaus' freedom of conscience. He said: "While Willard Uphaus remains in jail, our own consciences cannot be free." And Bishop Lord wrote to Judge Grant: "It is true that he holds the key to his own freedom, but that freedom can only be gained at the cost of surrender of conscience. This is too high a price to pay and Willard Uphaus will not consent to it." Bishop Lloyd C. Wicke, formerly president of the Board of Social and Economic Concerns of The Methodist Church, March 16 presented a resolution upholding freedom of conscience for Dr. Uphaus, which the Board adopted and sent to the New Hampshire authorities. The General Conference of The Methodist Church, meeting in Denver in April, affirmed the resolution, as did the Northeastern Jurisdictional Conference of The Methodist Church, meeting in Washington (Continued on page 48)

Behind The Headlines

The election is still news, but only behind the lesser headlines on inside pages with their talk about recounts. There is one aspect of it however which should remain in our memory until action is taken making repetition impossible. This is the fact that an unknown number of voters had no opportunity to declare their opposition to a foreign policy that contains the danger of nuclear war, and a domestic policy of Congressional inquisitorial committees and repressive laws that violate the commandments of the First Amendment. A corollary fact is that a large number of voters had no opportunity to form judgments on these vital issues because they were not set forth, and had no access to the kind of knowledge without which the people perish.

The situation provides more evidence that the political democracy in which, and toward which we profess to be leading the world is ceasing to operate where it is most needed. An elementary part of democratic government is an opposition party, or a number of non-partisan groups, who can compel adequate discussion of all aspects of vital issues so voters know what they are doing. Our peril is that in an historic moment, when the democratic process needs to extend beyond political action, it is contracting even there. This is the road that leads to totalitarian government.

Oral Diplomacy

Another example of this danger is the recent action of our government in sending naval and air forces to patrol the Caribbean off the coasts of Nicaragua and Guatemala. No announcement of this action was made until several days after it was taken. Then the news came from the White House. The nation was told that an oral request had come to the navy from the governments of Guatemala and Nicaragua for help in preventing military aid coming from Cuba to rebel groups in their countries. Consequently, under

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Willard Uphaus

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in July. Several annual Conference sessions in the Northeastern Jurisdiction of The Methodist Church, meeting in the spring, also affirmed this resolution in behalf of Dr. Uphaus. Bishop James K. Mathews, son-in-law of Dr. E. Stanley Jones, who succeeded Bishop Lord in the Boston Area, intervened with Judge Grant more than once.

The Supreme Court Nov. 14 had rejected the latest appeal made by Dr. Uphaus' lawyers, 6 to 3. Justice Black was joined in a vigorous dissent by Chief Justice Warren and by Justice Douglas.

Justice Black's Dissent

In words of historic significance Justice Black wrote:

I think the summary dismissal of this appeal without even so much as the benefit of oral argument, when the abridgment of the rights of free speech and assembly is so obvious, is a sad indication of just how far this Court has already departed from the protections of the Bill of Rights and an omen of things yet to come. Such retrogression, of course, follows naturally from the Court's recent trend toward substituting for the plain language of the commands of the Bill of Rights elastic concepts which permit the Court to uphold direct abridgment of liberty unless the Court views these abridgments as "arbitrary," "unreasonable," "offensive to decency" or "unjustified on balance," for these concepts reduce the absolute commands of the Constitution to mere admonitions. I think it is time for all who cherish the liberties guaranteed by the Bill of Rights to look closely at the disastrous consequences upon those liberties which have resulted from the Court's use of such concepts.

Justice Black explained:

At the very outset of (Dr. Uphaus') hearing before Attorney General (Wyman), he expressed a complete willingness to answer any question concerning himself . . . But he absolutely refused to give the Attorney General . . . a list of all the guests who had stayed at the camp . . . This, Dr. Uphaus persisted, he could not do, resting his refusal upon the following reasons, to which he has adhered throughout this long ordeal: (1) because "by the direct teachings of the Bible . . . it is wrong to bear false witness against my brother; and inasmuch as I have no reason to believe that any of these persons whose names have been called for have in any sense hurt this state or our country, I have reason to believe that they should not be in the possession of the Attorney General"; (2) because "the social teachings of The

Methodist Church . . . condemn guilt by association" (3) because "I love this document (the Bill of Rights) and I propose to uphold it with the full strength and power of my spirit and intelligence."

Justice Black referred to the danger that Dr. Uphaus might be kept in prison more than the year of his sentence . . . "this man who, at least so far as these records show, has never committed a single crime, nor even so much as an immoral act . . . simply because he has refused to violate his religious principles and sacrifice his constitutional rights by disclosing the names of those with whom he has peaceably assembled to discuss public affairs in this country."

Impossible Alternatives

Referring to the case of a religious dissenter in London in 1767, Justice Black commented:

This technique of putting unorthodox groups into a position where their only real choice is between various alternative punishments (a technique the prevalence of which today extends far beyond the borders of New Hampshire) is strikingly similar to that being utilized here against Dr. Uphaus. If he testifies, his friends will suffer; if he refuses to testify, he goes to jail. The dilemma is truly one "from which there is no escaping" for a man who . . . cannot bring himself to sacrifice either his religious principles or his legal rights.

Justice Black scored the tendency of the Court to reduce the absolute commands of the Constitution to mere admonitions, then likened the case of Dr. Uphaus to that of John Udall, a Puritan minister in England in 1590, who refused to disclose the identity of his fellow Puritans, and was sent to jail until such time as he would testify. He stayed in prison until he died several years later.

Like John Bunyan

Another like case was cited by Justice Black:

70 years after John Udall's experiences, there was a dissenting preacher in England named John Bunyan. He was arrested for preaching and efforts were made to get him to agree not to preach any more. He refused to be coerced into silence . . . In Bunyan's case the imprisonment lasted 12 years, and it was during those 12 years that he gave to the world *The Pilgrim's Progress*.

My guess is that history will look with no more favor upon the imprisonment of Willard Uphaus than it has upon that of Udall, Bunyan or the many others like them. For this is another of that ever-lengthening line of cases where people have been sent to prison and kept there for long periods of their lives because their beliefs were inconsistent with the prevailing views of the moment. I believe the First and Fourteenth Amendments were intended to prevent any such imprisonments in this country.

Justice Douglas Dissents

Justice Douglas added his dissent on Nov. 14:

When Alabama asked the National Association for the Advancement of Colored People to disclose its membership list, we held that disclosure was not required because if compelled it might well abridge the rights of lawful association. What we said there was not designed as I understood it, as a rule for Negroes only . . .

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An unofficial fellowship founded in 1907

President, Dr. Loyd F. Worley. Vice-Presidents, Rev. Frederick E. Ball, Rev. Clarence T. R. Nelson, Rev. Edward L. Peet, Rev. Elwin L. Wilson. Recording Secretary, Mr. Frederic H. Bidwell. Treasurer, Mr. Robert F. Beach.

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In *Bates v. Little Rock* . . . We said: "Public identification as members . . . had been followed by harassment and threats of bodily harm. There was also evidence that economic reprisals would follow public disclosure." . . . Can there be any doubt that harassment of members of World Fellowship in the climate prevailing among New Hampshire's law enforcement officials will not likewise be severe? . . . World Fellowship . . . is as law-abiding as NAACP. The members of one are entitled to the same freedom of speech, of press, of assembly, and of association as the members of the other. These rights extend even to Communists, as a unanimous Court held in *de Jonge v. Oregon*. What is an unconstitutional invasion of freedom of association in Alabama or Arkansas should be unconstitutional in New Hampshire.

Tireless Support

During his year in jail, Dr. Uphaus received thousands of cheering messages, from nearly every state in the Union, and from many foreign countries. One of the first was from Dr. Harry F. Ward, who wrote: "Beside the love and prayers that bring the spirits of your friends, your cell is full of the ever living presence of that great company who, from the first days of our faith have chosen prison, torture and death rather than betrayal of principles."

Despite the venom of the *Manchester Union Leader*, there was support within New Hampshire. A housewife wrote: "Though I would not wish an earthquake to open my cell door and set you free, I pray that hearts may be shaken from their lethargic sleep and accomplish the same. May your case and the light thrown upon it serve to end imprisonment of this kind forever." In October a farmer spent a week walking many miles, talking to people in towns, giving out literature. He wrote letters to 250 persons, sent releases to 150 papers and radio stations in New England. Quaker meetings in Concord and Dover expressed their concern. There were student friends at the University of New Hampshire, and word came from Dartmouth that many students pray for your triumph, and we are with you in these dark days." A student at Amherst is writing his Master's thesis on Dr. Uphaus' case. In May the New Hampshire Conference of The Methodist Church adopted a resolution on Conscience and the State, upholding the right of conscience and of free speech and assembly. In July the New Hampshire Council of Churches acted in Dr. Uphaus' behalf. The *Concord Monitor* reprinted on its front page a biting editorial from the national Baptist weekly, *The Watchman-Examiner*.

A BUCK A MONTH

We seek to double our income, that we may more effectively reach members of The Methodist Church, and other friends. to help alert them on social issues, and encourage them to social action.

Each month we enclose a reply envelope. We ask for your Buck a Month—in addition to your subscription or annual membership contribution.

All you have to do is reach in your pocket NOW while you are reading this, take out a dollar, write your name and address on the back of the envelope, put your dollar in this envelope, and mail it.

Your response would be so helpful and encouraging to our cause! Thank you!

The outpouring of money through these six years of struggle by the devoted members of World Fellowship has been a minor miracle. The Religious Freedom Committee, through its office workers, Ruth France and Marion Munsell, has worked endless hours. Too great praise cannot be given Ola Uphaus, who conducted World Fellowship the summer of 1960, with the help of many, gladly given, among them MFSA member Dr. Dryden L. Phelps, of Berkeley, California.

Warren Carberg of *Zion's Herald*, Boston, wrote unstintingly for Dr. Uphaus' case. Scores of editorials appeared the past year in the nation's leading newspapers, and in papers abroad. Aubrey Williams of the *Southern Farmer* wrote:

That little man in the New Hampshire jail has done more for civil and religious liberty in this country than any one of our time.

Dr. Clair Cook, of *Religion and Labor*, called Dr. Uphaus "a gentle Christian with a stubborn conscience." Dr. Uphaus contended that it would be "immoral to expose peaceful, law abiding people to investigations that might lead to pitiless publicity, irresponsible gossip, innuendoes and persecution." "All of these," wrote Dr. Cook, "have been his own lot as a result of his refusal for conscience' sake to inform."

Frustrated Sunday Visit

Dr. Cook said:

The first Sunday of October I stopped to see Dr. Uphaus. In his jail, along one side of a small and shabby room, was a close mesh fence behind which the prisoner must stand to talk . . . Only four visitors a week could come, and these on Wednesday afternoon only. Each visitor had only a half hour. The close indoor confinement of this county jail was termed "a cruel and unusual punishment" in the brief which went to the U. S. Supreme Court at its present term . . . I was not to see Willard Uphaus, although I was 800 miles from home. A guard brusquely told me he could have no visitor that Sunday. "Them's my orders," he said . . . So I had to go on, leaving him in his lonely cell, a political prisoner for conscience' sake.

Sometimes Something Happens

In the *New Republic* Dec. 12, T. R. B. wrote in his column "From Washington":

Sometimes we wonder if Christianity has lost its punch. Communism is crusading; is Christianity? Christ's birthday is a shopping spree; church-going is a status symbol; ministers repeat revolutionary precepts by rote in church, are silent outside. How many Christians really know what the word means?

Then when we are most discouraged something sometimes happens. A Christian pacifist, Dr. Willard Uphaus, serves a year in jail in New Hampshire to defend simple decency for us all. It must be Christianity, or something, that makes a man do that. And in New Orleans a Methodist minister, Lloyd Foreman, backed by a Catholic priest, Jerome Drolet, escort a little white child to an integrated school, reviled and spat upon by a Golgothan mob. There must be *something* to it, don't you think, to behave like that?

Conscience and the State

While still in Boscawen Dr. Uphaus wrote some paragraphs for our Bulletin:

Conflict between conscience and the state is as old as recorded history. From the time when Socrates called himself a gadfly until Albert Einstein advised, "Never do anything against conscience even if the state demands it," loyalty to a Higher Law has challenged the prophet and the seer.

St. Ambrose in the Fourth Century declared, "There is nothing evil save that which perverts the mind and shackles the conscience." John Milton cried, "Give me the liberty to know, to utter, and to argue freely according to conscience, above all liberties." Sir William Blackstone, English authority on law, insisted that "No laws are binding on the human subject which assault the body or violate the conscience . . . Karl Barth, eminent Swiss theologian, holds that "Conscience is the interpreter of life."

It is small wonder that Adolph Hitler could lead the German people to ruin, because he declared, with scorn, "I am liberating man from the degrading chimera known as conscience."

. . . The Prisoner of Boscawen is clear in conscience, and he prays that he will never be in contempt of God, Dr. Ward, Bishop Lord, his loving companion Ola Uphaus, or of any in that great cloud of witnesses who look to us.

Willard Uphaus measured up!

Now A Busy Schedule

Dr. and Mrs. Uphaus now face a busy schedule. Among other appointments,

Dec. 16, under the auspices of the Emergency Civil Liberties Committee, Dr. Uphaus and Dr. Linus Pauling speak at a dinner in New York's Commodore Hotel. The banquet had been set at the Waldorf-Astoria, but so many reservations poured in that it had to be moved to the Commodore's larger ballroom.

Dr. Uphaus preaches at the Community Church, Boston, December 25.

World Fellowship is sponsoring a special service for Dr. and Mrs. Uphaus at St. George's Protestant Episcopal Church, in New York, the evening of January 11. Bishop John Wesley Lord of the Washington Area will speak; Rabbi Robert Goldburg of New Haven will be heard; also the Rev. Lloyd F. Worley of Hartford, president of the MFSA; and the Rev. William Howard Melish, administrative chairman of the Religious Freedom Committee.

And Dr. Uphaus will attend the next meeting of the Administrative Committee of the MFSA, in New York January 26.

Behind The Headlines

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the treaties promising aid when threatened by external aggression, this help was immediately sent. This oral diplomacy is something new in our record. Ordinarily a formal written request comes direct to the President, or by way of the State Department. This incident adds to the U-2 record a shocking carelessness in taking the risk of starting a war.

Irrelevant

The White House statement was accompanied by the hope that the "free world" would stand together against godless, atheistic communism. This hope is as dangerous as it is irrelevant. It is an attempt to put religious sanction behind a policy which takes the risk of actions that could set off uncontrollable disaster. It expresses personal emotion and ignores executive responsibility. Not long since the President was rebuked in the British press for doing this same thing, in similar language. Before he leaves office as due warning to his successor, the President should be told by our religious leaders that religion and anti-religion are no criteria for international actions, that under our Constitution the relation between them, in both foreign and domestic affairs, is in the domain of organized religion and is outside that of the state.

No Danger Existed

When our forces were withdrawn from the Caribbean, as suddenly as they were sent, the nation was told that the danger to Nicaragua and Guatemala no longer existed. It never did. The State Department could produce no facts to substantiate the charge. *Newsweek* said our Latin American experts saw no specific sign of the alleged danger. *The New York Times* correspondent in Venezuela wrote that it had become "more or less customary" for Latin American chiefs of state "to attribute even minor disturbances to Castro agents." A Brazil editorial said the big danger of this action is that it will now be "enough for any Latin American government to term as communist any movement forming against it to count on prompt, decisive North American intervention, even without the opinion of the Organization of American States."

A reason for the sudden withdrawal, given by unnamed officials, was that the presence of our forces made it harder to get the consent of the Latin American governments to economic sanctions against Cuba—that is, to a complete boycott designed to secure the overthrow of the Castro government.

Secret Training Center

Meantime the *Nation* magazine contributed to this whole issue on exclusive report by Dr. Ronald Hilton, Director of Stanford University's Institute of Hispanic-American Studies, recently returned from Guatemala. He stated that the U. S. Central Intelligence Agency (headed by Allen Dulles) had purchased in Guatemala, at a cost of over a million dollars, a large tract of land which is stoutly fenced and heavily guarded. Dr. Hilton was told it was "common knowledge" in Guatemala that this tract is being used, with U. S. personnel and equipment, to train Cuban counter-revolutionaries to return to Cuba and attempt to overthrow the Castro government.

Dr. Hilton further said that this was reported by the newspaper *La Hora*, in Guatemala, in violation of a government order against any public discussion of the matter. Later, during a T V appearance, Guatemalan President Ydigoras admitted the existence of the base, but refused to discuss the issue further.

We should ask the Congress for an investigation of this base in Guatemala, and ask for an end to the secrecy governing the expenditures of the Central Intelligence Agency.—H.F.W.